

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

EDDIE HUNTER, )  
                    ) Civil Action No. 07 -74  
                    )  
Plaintiff,        ) Judge Joy Flowers Conti/  
                    ) Magistrate Judge Lisa Pupo  
v.                 ) Lenihan  
                    )  
WILLIAM SCHOUPE, WARDEN, )  
BEAVER COUNTY JAIL,    )  
                    )  
Defendant.

**ORDER**

The above captioned case was initiated on January 18, 2007 by the filing of a Motion to Proceed In Forma Pauperis (doc. no. 1) accompanied by a Complaint. It was referred to United States Magistrate Judge Lisa Pupo Lenihan for pretrial proceedings in accordance with the Magistrate Judges Act, 28 U.S.C. § 636(b)(1), and Rules 72.1.3 and 72.1.4 of the Local Rules for Magistrate Judges.

The Magistrate Judge's Report and Recommendation (doc. no. 4), filed on January 25, 2007, respectfully recommended that Plaintiff's Complaint be dismissed in accordance with the Prison Litigation Reform Act for failure to state a claim upon which relief can be granted. Plaintiff was served at the beaver County Jail and was advised they he was allowed ten (10) days from the date of service to file written objections. No objections have been filed. After review of the pleadings and documents in the case, together with the Report and Recommendation, the following order is entered:

**AND NOW**, this 2nd day of March, 2007;

**IT IS HEREBY ORDERED** that Plaintiff's Complaint is **DISMISSED** in accordance with the Prison Litigation Reform Act for failure to state a claim upon which relief can be granted.

**IT IS FURTHER ORDERED** that the Report and Recommendation (doc. no. 4) of Magistrate Judge Lenihan, dated January 25, 2007, is adopted as the opinion of the court.

**IT IS FURTHER ORDERED** that the Clerk of Court mark this Case as **CLOSED**.

By the Court:

/s/ Joy Flowers Conti  
Joy Flowers Conti  
United States District Judge

cc: Lisa Pupo Lenihan  
United States Magistrate Judge

Eddie Hunter  
Beaver County Jail  
6000 Woodlawn Blvd.  
Aliquippa, PA 15001

counsel of record